

Notice of Allowability

Application No.

10/827,312

Examiner

Ngoc-Yen M. Nguyen

Applicant(s)

DREAN, HENRI LOUIS

Art Unit

1754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to December 29, 2005 and January 9, 2006.
2. ☒ The allowed claim(s) is/are 1 and 3-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/959,521.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeffery Wyand on February 21, 2006.

The application has been amended as follows:

1. (currently amended) A porous material for the treatment of gaseous media containing volatile organic compounds, the porous material presenting an adsorption capacity of about 20 to 30% with respect to its dry weight and comprising a composite structure of silicon ~~and carbon~~, carbon, hydroxyl, and oxygen, about one-third of the total volume of the material being peripheral volume and the remaining volume being central volume, wherein 75 to 85% porosity of the peripheral volume is produced by pores having dimensions in a range from 10 to 50 Å, 80 to 90% of the central volume is produced by cavities having dimensions in a range from about 200 Å to 2×10^4 Å.

8. (currently amended) The process for obtaining a porous material according to Claim 1 comprising:

preparing a base constituent of clay comprising about 30 wt% of a clay with a particle size greater than 180 µm and about 70 wt% of a clay with a particle size between 10 and 20 µm;

impregnating the base constituent with an aqueous solution comprising acetic acid, citric acid, and peroxide[.];

pretreating the base constituent impregnated with the aqueous solution by mixing at a first speed to create a porous structure,

mixing the base constituent, after pretreating with an acidified liquid having with a strong oxidizing potential, at a second speed lower than the first speed, to cause the acidified liquid to penetrate the pretreated constituent and to form a gel[.];

mixing the gel with a solution with a strong oxido-reductive potential, a mixture of carbon and alumina, and calcium sulfate; and

drying and pressing the mixture obtained from mixing the gel with the solution to produce the porous material, about one-third of the total volume of the material being peripheral volume and the remaining volume being central volume, wherein 75 to 85% porosity of the peripheral volume is produced by pores having dimensions in a range from 10 to 50 Å, and 80 to 90% of the central volume is produced by cavities having dimensions in a range from about 200 Å to 2×10^4 Å.

9. (currently amended) The process according to Claim 8, wherein the process is carried out implemented continuously.

The terminal disclaimer filed January 09, 2006 has been approved.

Art Unit: 1754

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen M. Nguyen whose telephone number is (571) 272-1356. The examiner is currently on Part time schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Stanley Silverman can be reached on (571) 272-1358. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 or (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed (571) 272-1700.



Ngoc-Yen M. Nguyen
Primary Examiner
Art Unit 1754

nmn
February 21, 2006